

PARR LAW GROUP

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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In Re: THOMAS DAVID McKEE,

Case No. 18-51790- MEH

Adversary Case No. 19-5061

Debtor.

KARI BOWYER;
Plaintiff,

v.

THOMAS DAVID McKEE, an individual;
ELBA LETICIA McKEE, an individual;
ELBA LETICIA McKEE, Trustee of the JCR
REVOCABLE TRUST (dated October 12,
2006);

Defendants.

**STIPULATION TO DISMISS
ADVERSARY PROCEEDING IN ITS
ENTIRETY WITH PREJUDICE AND
CLOSING THE ADVERSARY
PROCEEDING DOCKET**

All parties, by and through their respective undersigned counsel Shawn R. Parr, Wayne A. Silver, and Robert Aronson, hereby stipulate to dismiss the above-captioned Adversary Proceeding in its entirety with prejudice and to close the Adversary Proceeding as follows:

1. Plaintiff filed this Adversary Proceeding on December 20, 2019 and named Defendants THOMAS DAVID McKEE (an individual), ELBA LETICIA McKEE (an individual), and ELBA LETICIA McKEE, Trustee of the JCR REVOCABLE TRUST (dated October 12, 2006) (the "JCR TRUST") (collectively, the "Parties").

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Stipulation to DISMISS ADVERSARY PROCEEDING

2. Defendant THOMAS DAVID McKEE is no longer a named defendant in the Adversary Proceeding.

3. On or about December 31, 2020, ELBA LETICIA McKEE resigned as trustee of the JCR TRUST. On the same date, FRANCISCO JAVIER CASTELLANOS LOPEZ was appointed, and accepted, the position of successor trustee of the JCR TRUST.

4. On February 16, 2022 the Parties held a Court supervised settlement conference and the matter was compromised and settled. FRANCISCO JAVIER CASTELLANOS LOPEZ, as successor trustee of the JCR TRUST, was never formally named as a Defendant in the Adversary Proceeding. FRANCISCO JAVIER CASTELLANOS LOPEZ as successor trustee of the JCR TRUST, did however participate in the settlement conference.

5. The Parties thereafter negotiated and signed a Settlement Agreement. FRANCISCO JAVIER CASTELLANOS LOPEZ, both individually and as successor trustee of the JCR TRUST, is receiving the benefit of the release as provided in the Settlement Agreement.

6. On April 8, 2022 the Court entered an Order approving the Settlement Agreement and authorizing the Trustee to compromise controversy. [Docket No 48]

7. Plaintiff has received the agreed upon settlement funds in full pursuant to the Settlement Agreement.

8. The Parties now stipulate and agree to dismiss the Adversary Proceeding in its entirety with prejudice, each side to bear their own attorneys' fees and costs as stated in the Settlement Agreement.

IT IS SO STIPULATED.

Dated: May 10, 2022

/s/ Shawn R. Parr

Shawn R. Parr, Attorney for Plaintiff

Dated: May 10, 2022

/s/ Wayne A. Silver

Wayne A. Silver, Attorney for Elba McKee
and Francisco Javier Castellanos Lopez,
successor trustee of the JCR Revocable Trust

Dated: May 10, 2022

/s/ Robert Aronson

Robert Aronson, Attorney for Defendant
David McKee